

IAP3 Rec'd PCT/PTO 14 FEB 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007, OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 07130.0007.PCUS00 <b>107568355</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/DE2004/001773	INTERNATIONAL FILING DATE August 6, 2004	PRIORITY DATE CLAIMED August 14, 2003
TITLE OF INVENTION <b>CABRIOLET</b>		
APPLICANT(S) FOR DO/EO/US <b>BROCKHOFF, Franz, Ulrich; MEINERT, Stefan</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 3).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4))</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern documents or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/1568353</b>		INTERNATIONAL APPLICATION NO. PCT/DE2004/001773		ATTORNEY'S DOCKET NUMBER 071300007.PCUS00	
<p>20. Other items or information: Publication of International Application WO2005/016679 A1 with ISR- 38 pages; Written Opinion of the International Searching Authority(PCT/ISA220) with translation -10 pages (total) and 2 return postcards</p>					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) .....\$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0 All other situations .....\$200				\$ 200.00	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USA by the IB .....\$400 All other situations .....\$500				\$ 500.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) 37 CFR 1.492(j)) The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	-20 =		x \$50	\$	
Independent claims	-3 =		X \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.					
				<b>SUBTOTAL =</b>	\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
				<b>TOTAL NATIONAL FEE =</b>	\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				\$	<b>1,000.00</b>
				Amount to be refunded:	\$
				Amount to be charged:	\$

10/568353

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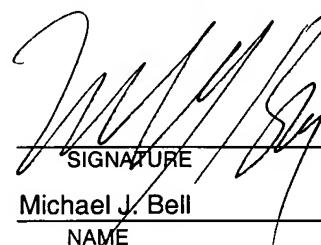
IAP20 Rec'd PCT/PTO 14 FEB 2006

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 08-3038 in the amount of \$1,000.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

## SEND ALL CORRESPONDENCE TO:

Michael J. Bell  
 Howrey, LLP  
 2941 Fairview Park Drive, Box 7  
 Falls Church, VA 22042  
 Fax 703-336-6950  
 Ph : 202-783-0800



SIGNATURE

Michael J. Bell

NAME

39,604

REGISTRATION NUMBER

**IAP20 Rec'd PCT/PTO 14 FEB 2006****Michael J. Bell**  
Partner  
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February 14, 2006

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. National Phase International Application No. PCT/DE2004/001773  
International Filing Date: August 6, 2004  
Priority: August 14, 2004 (DE 10337353.5)  
For: Cabriolet  
Inventor: Brockhoff, Franz, Ulrich, *et al.*  
Our Ref: 07130.0007.PCUS00

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

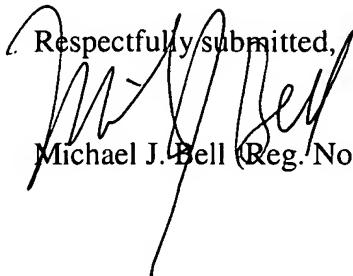
1. Transmittal Letter to the United States Designated/Elected Office, Form PTO-1390 (in duplicate);
2. A copy of PCT Publication WO 2005/016679 A1 with ISR;
3. Translation of the PCT with ISR
4. A copy of Written Opinion with translation;
5. Two return postcards.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to our Deposit Account No. 08-3038 referencing docket number 07130.0007.PCUS00.

\$ 1,000.00      Filing Fee for patent application

*A duplicate copy of this letter is enclosed.*

Respectfully submitted,  
  
Michael J. Bell (Reg. No. 39,604)

Enclosures



TRANSPERFECT  
TRANSLATIONS

10/568353

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AFFIDAVIT OF ACCURACY

I, Tyler Mickelson, hereby certify that the following is, to the best of my knowledge and belief, a true and accurate translation of the accompanying document [Reference # 106006.K] from German into English.

Tyler Mickelson

Tyler Mickelson  
TransPerfect Translations  
601 13<sup>th</sup> Street, NW  
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Washington, DC 20005

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WASHINGTON, DC

Sworn to before me this  
13th day of February, 2006

Lisa Sherfinski  
Signature, Notary Public

Lisa Sherfinski  
Notary Public, District of Columbia  
My Commission Expires 01-01-2008

Stamp, Notary Public

Washington, DC

